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led the organization after the West Ukrainian and émigré leaders had been forced to withdraw, was an engineer. On the whole, however, it may be said that engineers were more concerned with material reconstruction than politics, and did not play proportionately as significant a role as did engineers in the nationalist movements abroad and in Galicia.

The predominance of intellectuals and technical specialists in the nationalist movement imparted a certain specific color to the activities. In the first place, from the purely administrative point of view, the lack of trained men was a serious handicap. While the purely material aspects of city life were carried on about as well as might have been hoped in view of the destruction, shortages, and German obstruction, the conduct of public administration was far from adequate. This was, indeed, one of the major causes of the downfall of the OUN-M regime in Kiev, whether the worst defects consisted of favoritism and speculation by officials, or simply poor organizational and human relations. Nationalist fervor, enthusiasm, facility in the use of literary Ukrainian, were no substitutes for managerial skills and personnel psychology. Yet it was precisely these abilities which intellectuals who were excluded from public life, as were Soviet Ukrainian educators suspected of adherence to the Skrypnyk group, could not acquire. At the same time, so much of their energy had been turned in upon their academic and cultural cultivation of things Ukrainian, such as language and history, that the intellectuals failed to place the emotional and abstract aspects of the nationalist cause in a balanced framework when the opportunity for action arose. It cannot be said that the intellectuals were less courageous than others might have been in striving for national ends in the face of German terrorism; many lost their lives, although, as has been pointed out in the case of some of the small-city editors, others were sometimes found to act as pliant tools for the occupiers. It does, however, appear that persons more inclined to take a functional instead of an emotional approach to administration might have been more successful in evading German demands.

Very striking is the almost total lack of legal expression among almost all participants in administrative work. Probably the basic reason for this omission was that lawyers were few and far between among non-Communist elements in the Ukraine. A con-

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693 fidential Wehrmacht report ascribes to this lack the difficulty experienced in getting the court system started,[15] and one Ukrainian account states that of two hundred and fifty lawyers in the Kharkov *oblast* under Soviet rule only thirty-five were not Jews.[16] While an anti-Semitic bias in this statement may need to be discounted, it does appear likely that the vast majority of a professional group which was already very small (there are few Western cities where there is only one lawyer per four thousand population!) was largely non-Ukrainian.

Of the few prominent legally trained Ukrainians, none had been able to practice his profession for many years. Alexander Semenenko, the mayor of Kharkov, had been educated as a lawyer under the tsarist regime and had practiced for a time in the early years of Communist rule. In the thirties, however, he was imprisoned for a number of years, and was a fugitive from the NKVD when the German army occupied the city.[17] Volodymyr Dolenko, who with Professor Dubrovs'kyi was the principal organizer of the strong nationalist group in Kharkov, had also been trained as a lawyer under the old regime, and he too had been prevented by the Communists from practicing.[18] Alexander Iatseniuk, head of the Zhitomir *oblast* administration, a judge under Nicholas II, had been relegated to the position of lecturer in a higher school by the Soviets.[19] His administration included a number of other jurists.

693 The want of training in the law was particularly striking in the 182 Ukrainian nationalist movements. The failure to attempt to form a codified set of principles of either a legal or an administrative nature, the frequent arbitrary action in allotting positions on a basis of partisan enthusiasm rather than objectively determinable qualifications, the frequent tendency to accept an extreme nationalist position and then to push it even further, might all have been curbed by a stronger legal tradition.

[15] PS 1693.
[16] *Krakivs'ki Visti*, March 1, 1942, p. 4.
[17] *Krakauer Zeitung*, May 14, 1944, p. 4.
[18] Interview 73.
[19] Iefremenko in *Krakivs'ki Visti*, November 1, 1941, p. 2; the reporter states that the directives of the city administration were "precise and factual," not full of "romantic phrases."

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633 gandistic nature of much of their work exacerbated the defects
182 already existing in the intellectual nationalist tendencies in the east).[20] They also recognized the need for trained military officers to lead the police units, as well as for organizers of cooperatives, merchants, and other personnel to reorganize economic life.[21] Since the Galicians, unlike their East Ukrainian fellows, had been brought up under the influence of the Roman law tradition transmitted by the Austrian administration and the Catholic Church, one might have thought that they would provide a balancing element of legal thought. Actually, although there were numerous lawyers in the legal parties in Galicia, lawyers were even rarer among OUN leaders than among prominent East Ukrainians. Moreover, the whole current of revolutionary romanticism and the glorification of "illegalism" necessarily militated against the development of legalistic elements in the thinking of the nationalist factions. At the same time, of course, underground oppositional work had afforded the western group no experience in the responsibilities of public administration; the older émigrés who might have provided a modicum of such experience were kept out of the East Ukraine by the Germans. As the following statistics on the émigré group in Bohemia-Moravia indicate, however, the possible supply was not great, even if one accepts the figures which were obtained by listing, presumably at their own valuation, persons available to return to the East Ukraine in 1941.[22]

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[20] Iu. Tarkovych in *Krakivs'ki Visti*, November 6, 1941, p. 2.

[21] *Ibid.*

[22] From a registration by a Ukrainian community organization in Prague, September 28, 1941 (*Krakivs'ki Visti*, October 4, 1941, p. 3). For comparison, the occupations of the postwar emigration (largely West rather than East Ukrainian, in contrast to the interwar émigré group) may be given:

	ÉMIGRÉS IN GERMANY	
	U. S. Zone (*total 85,646*)	*British Zone* (*total 44,987*)
Peasants	30 percent	44 percent
Workers	16	21
Artisans	18	14
Intellectuals	23	8
Miscellaneous	13	13

(Michael Pap, *Die Probleme der ukrainischen Staatlichkeit und der Emigration*, Inaugural Dissertation zur Erlangung der Doktorwürde vorgelegt der Hohen Philosophischen Fakultät der Ruperts-Carola Universität zu Heidelberg, 1948 [Typescript available in the Library of Congress]).

[Ukrainian constitution as of Nov. 21, 1949]

631 Art. 79. On the expiration of the terms of office of the regional, area, district, city settlement or village Soviets of Working People's Deputies, their executive and administrative organs retain their powers until the newly elected Soviets shall have formed new executive and administrative organs.

Chapter VI. The Budget of the Ukrainian Soviet Socialist Republic

[643] Art. 80. The state budget of the Ukrainian SSR is drawn up by the Council of Ministers of the Ukrainian SSR and submitted by it to the Supreme Soviet of the Ukrainian SSR for its approval.

[644] [645] Upon its approval by the Supreme Soviet of the Ukrainian SSR the state budget of the Ukrainian SSR is published for general information.

Art. 81. The Supreme Soviet of the Ukrainian SSR elects a Budget Commission, which reports its conclusions on the state budget of the Ukrainian SSR to the Supreme Soviet.

Art. 82. The report on the fulfilment of the state budget of the Ukrainian SSR is approved by the Supreme Soviet of the Ukrainian SSR and published for general information.

[651] [652] Art. 83. The budgets of the regional, area, district, city, settlement and village Soviets include the revenues from the local economy, deductions from the state revenues collected within their territory and likewise receipts from local taxes and imposts in amounts fixed by the laws of the USSR and the Ukrainian SSR.

Chapter VII. The Courts and the Procurator's Office

692 Art. 84. In the Ukrainian SSR justice is administered by the Supreme Court of the Ukrainian SSR, the Regional and Area Courts, the Special Courts of the USSR established by decision of the Supreme Soviet of the USSR, and the People's Courts.

[693] Art. 85. In all Courts cases are tried with the participation of people's assessors, except in cases specially provided for by law.

Art. 86. The Supreme Court of the Ukrainian SSR is the highest judicial organ of the Ukrainian SSR. The Supreme Court of the Ukrainian SSR is charged with the supervision of the judicial activities of all the judicial organs of the Ukrainian SSR.

[646] Art. 87. The Supreme Court of the Ukrainian SSR is elected by the Supreme Soviet of the Ukrainian SSR for a term of five years.

Art. 88. Regional and area courts are elected by regional and area Soviets of Working People's Deputies for a term of five years.

Art. 89. People's courts are elected by the citizens of the district on basis of universal, direct and equal suffrage by secret ballot for a term of three years.

695 [563] Art. 90. Judicial proceedings in the Ukrainian SSR are conducted in the Ukrainian language, persons not knowing the language being guaranteed every opportunity of fully acquainting themselves with the material of the case through an interpreter and likewise the right to use their own language in court.

[Ukrainian Constitution as of Nov. 21, 1949]

695 Art. 91. In all courts of the Ukrainian SSR cases are heard in public, unless otherwise provided for by law, and the accused is guaranteed the right to be defended by counsel.

693 Art. 92. Judges are independent and subject only to the law.

Art. 93. Supreme supervisory power to ensure the strict observance of the law by all Ministries and institutions subordinated to them, as well as by officials and citizens within the territory of the Ukrainian SSR generally, is exercised by the Procurator-General of the USSR directly and also through the Procurator of the Ukrainian SSR.

Art. 94. The Procurator of the Ukrainian SSR is appointed by the Procurator-General of the USSR for a term of five years.

Art. 95. Regional procurators are appointed by the Procurator-General of the USSR for a term of five years.

Art. 96. Area, district and city procurators are appointed by the Procurator of the Ukrainian SSR, subject to the approval of the Procurator-General of the USSR, for a term of five years.

Art. 97. The organs of the Procurator's Office perform their functions independently of any local organs whatsoever, being subordinate solely to the Procurator-General of the USSR.

Chapter VIII. Fundamental Rights and Duties of Citizens

641 Art. 98. Citizens of the Ukrainian SSR have the right to work, that is, are
461 guaranteed the right to employment and payment for their work in accordance with its quantity and quality.

The right to work is ensured by the socialist organization of the national economy, the steady growth of the productive forces of Soviet society, the elimination of the possibility of economic crises and the abolition of unemployment.

Art. 99. Citizens of the Ukrainian SSR have the right to rest and leisure.

[466] The right to rest and leisure is ensured by the fixing of the working day for factory and office workers at eight hours and the reduction of the working day to seven or six hours for arduous trades and to four hours in workshops where conditions of work are exceptionally arduous; by the institution of annual vacations with full pay for factory and office workers; and by the provision of a wide network of sanatoria, rest-homes and clubs for the accommodation of the working people.

641 Art. 100. Citizens of the Ukrainian SSR have the right to maintenance in old
657 age and also in case of sickness or disability.

This right is ensured by the extensive development of social insurance of factory and office workers at State expense, free medical service for the working people, and the provision of a wide network of health resorts for the use of the working people.

871 Art. 101. Citizens of the Ukrainian SSR have the right to education.

641 This right is ensured by universal compulsory elementary education; by free education up to and including the seventh grade; by the system of State stipends to students who have distinguished themselves in higher educational establishments; by instruction in schools being conducted in the native language; and by the organization in the factories, State farms and machine and tractor stations and collective farms of free vocational, technical and agronomic training for the working people.